

# **National Labor Relations Act (NLRA)**

## **Your Legal Rights to Form or Join a Union**

Section 7: *“Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representation of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining . . .”*

Section 8(a): *“it shall be an unfair labor practice for an employer . . . to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in Section 7 . . .”*

## **Your Legal Rights**

You have the legal right under Section 7 of the **NLRA** to join or support a union and to:

1. Attend meetings to discuss joining a union.
2. Read, distribute, and discuss union literature (as long as you do this in non-work areas during non-work times, such as during breaks or lunch hours).
3. Wear union buttons, T-shirts, stickers, hats, or other items on the job.
4. Sign a card asking your employer to recognize and bargain with the union.
5. Sign petitions or file grievances related to wages, hours, working conditions, and other job issues.
6. Ask other employees to support the union, to sign union cards or petitions, or to file grievances.

## ***Secret Ballot Elections***

To establish a union in a workplace, a majority of employees must express support for the union. In most situations, the employees prove majority support through a secret-ballot election conducted by the **National Labor Relations Board** (also known as the Labor Board).

## ***“Good Faith” Bargaining***

After the unions’ election victory is officially certified by the National Labor Relations Board, your employer is legally required to negotiate in “good faith” with the union on a written contract covering wages, hours and other working conditions.

## **Protection from Employer Action**

Under Section 8 of the **NLRA**, your employer cannot legally punish or discriminate against any worker because of union activity. For example, your employer cannot legally do the following:

- Threaten to or actually fire, lay off, discipline, harass, transfers, or reassign employees because they support the union,
- Favor employees who don't support the union over those who do in promotions, job assignments, wages, hours enforcement of rules, or any other working conditions.
- Shut down the work site or take away any benefits or privileges employees already enjoy in order to discourage union activity.
- Promise employees a pay increase, promotion, benefit, or special favor if they oppose the union.

## **Enforcing Your Rights**

Some employers try to prevent the workers from joining a union.

**The best way to encourage your employer to recognize your union and negotiate a fair contract is to build a strong organization where you work.**

- If your employer violates the law, the union can help you file “unfair labor practice” charges with the National Labor Relations Board.
- The Labor Board has the power – backed up by federal courts – to order an employer to stop interfering with employee rights, to provide back pay, and to reverse any action taken against workers for union activity.

**You can help protect your legal rights by:**

- **Keeping written notes** of any incidents in which company officials or supervisors threaten, harass, or punish workers because of union activity.
- **Immediately reporting** any such incidents to your organizing committee and the union staff.

Your notes don't have to be worded a certain way, but you should include what was said or done, who was involved, where and when it happened, and the names of any witnesses.

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